



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,806	09/28/2001	Gary B. Cohen	07844-511001 / P460	3111

21876 7590 06/17/2005

FISH & RICHARDSON P.C.

P.O. Box 1022

MINNEAPOLIS, MN 55440-1022

EXAMINER

INGBERG, TODD D

ART UNIT

PAPER NUMBER

2193

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/966,806

Applicant(s)

COHEN ET AL.

Examiner

Todd Ingberg

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2193

### **DETAILED ACTION**

Claims 1 – 40 have been examined.

Claims 1, 13, 14, 20, 26, 30, 39 and 40 have been amended.

### ***Examiner Interpretation***

In reviewing the meaning of the limitations regarding *state* as defined in the Specification on pages 7 – 9 provides insight to the meaning of state in terms of the invention. The term state means the checking of the context to determine if the display of help is appropriate meets the enablement for checking the appropriate state information. The newly found art as applied in this Office action also displays help in appropriate locations as defined by the user. The newly found art is a help tool for displaying context sensitive help.

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 30 – 39 are rejected under 35 USC § 101 for not being statutory.

#### **Claim 30**

Machine-readable instructions, embodied in a tangible medium or a propagated signal or both, for causing the machine to perform operations comprising: enable an author to generate one or more help files for a help facility of a computer software application, the one or more help files specifying content to be displayed and at least one interactive link the content associated with at least one user-activated step to be in connection with the help topic, wherein the interactive link, when activated, performs an operation in the computer software application to effect the at least one step associated with the specified content; and enable the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

#### **Examiner's Response**

A propagated signal is not a tangible embodiment.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

Art Unit: 2193

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 5 and 7 – 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Developing Applications with **Office**, published 1995 in view of **ForeHelp** version 1.0 by

ForeFront, Incorporated released 1994.

**NOTE:** The two references are cumulative in many areas. The two references must be taken as a whole.

#### **Claim 1**

A method of providing a help facility for a computer software application stored on a computer readable medium and executable on a computer, the method comprising: enabling an author to generate one or more help files that specify content to be displayed and at least one interactive link, the content associated with at least one user-activated step to take in connection with a help topic, wherein the interactive link when activated, performs an operation in the computer software application to effect the at least one step associated with the specified content; and enabling the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

#### **Examiner's Response**

**Office** teaches the ability to add context sensitive help to existing applications (**Office**, pages 455 to 483) and to Custom Business Applications (**Office**, page 482 - 483) using tools and an API (**Office**, pages 458 – 459, and 475 - 482). Some of the features **Office** teaches the following:

Context Sensitive documentation – page 455

Creating online publications – page 455

Multiple Help files – page 456, 457 types of documents

Structured hyper text files page 456

Use of Templates – page 456

Creating hotspots – page 456

Help Project for localization of help system – page 456

Distributing Help files over a network – page 457

Tools for Creating Help-Bases Publications and Presentations – page 458

Structuring Hypertext – page 459

Controlling the path with jumps and hotspots – page 460, Figure 13-1

Hypertext Macros – page 461

Naming context string – page 461

Support files for building help systems – page 462

Smart Quotes – page 463

Graphical User Interface for building help – pages 464 - 467, figure 13-2

Inserting Jump and Popup Hotspots, page 468, figure 13-5

Table of Contents – page 472

Art Unit: 2193

Hotspot graphics – pages 472 – 473  
Authoring Template through GUI – page 474  
Help Project files – pages 475 – 476  
Secondary Windows – pages 476 – 478  
Compiling Custom HPJ Files – pages 478 – 481  
Creating Context Sensitive Help – pages 481 – 482  
Adding Context Sensitive Help to Custom Business Applications – page 482 - 483

What the chapter does not teach is many of the explicit details of building context sensitive help systems. It is **ForeHelp** that teaches details of a context sensitive help system. ForeHelp teaches details such as:

- I. How to use ForeHelp to build context sensitive Help system (Section 1)  
Including topics such as hotspots, jumps, history, content, browse sequences, keywords, testing , viewing project structure and relationships.
- II. Importing Existing Help Projects and files (Sections 4 & 5)
- III. Topic Text , Paragraphs, Styles, Tables and Pictures – Sections (8 – 12)
- IV. Creating Topics and Moving Between Topics (sections 16 – 17)
- V. Inserting Topics, Jumps and Pop-ups (sections 18 – 19)
- VI Creating and using Keywords – Section 20
- VII. Macros (Section 21)
- VIII Adding Embedded Windows (Section 22)
- IX Creating Browse Sequences (Section 23)
- X Working with Windows Classes (Section 24)
- XI Testing Help Systems (Section 25)
- XII Finding your way around using Navigator (Section 27)
- XIII Displaying Connections using Grapher (Section 28)
- XIV Detail on Creating Content Sensitive Help (Section 31)
- XV WinHelp Macros (Appendix E)

**Office** teaches building context sensitive help systems for existing Applications and Business Application but does not explicitly teach the details of the underlying technology. It is **ForeHelp** who teaches the details of the underlying technology of building context sensitive help systems. Therefore, It would have been obvious to one of ordinary skill in the art at the time of invention to combine **Office** and **ForeHelp**, because context sensitive help systems make using software easier.

## **Claim 2**

The method of claim 1 further comprising, prior to enabling the help facility to access the generated help file, placing the help file in the predetermined location.

### **Examiner's Response**

As per claim 1 (Office , page 477, bullet 3 and ForeHelp, predetermined location and size, page 140).

Art Unit: 2193

**Claim 3**

The method of claim 2 wherein the help file is placed in the predetermined location by the author of the help file.

**Examiner's Response**

As per claim 1 (Office , page 477, bullet 3 and ForeHelp, predetermined location and size, page 140).

**Claim 4**

The method of claim 2 wherein the help file is placed in the predetermined location automatically by a software process.

**Examiner's Response**

As per claim 1 (Office , page 477, bullet 3 and ForeHelp, predetermined location and size, page 140 – defined location an size information is used by the help system to determine where and what to display).

**Claim 5**

The method of claim 1 further comprising retrieving the generated one or more help files from an external source.

**Examiner's Response**

As per claim 1 (Office, pages 482 – 483, has many different sources including calling help from products like Access, Excel and Word)

**Claim 7**

The method of claim 1 wherein enabling the help facility to access the one or more help files comprises displaying the one or more help files as a help page in the help facility.

**Examiner's Response**

As per claim 1 and Office, page 479, Secondary Window with Text.

**Claim 8**

The method of claim 1 wherein enabling the help facility to access the generated one or more help files comprises causing the help facility to traverse the local file structure: to identify existing help files.

**Examiner's Response**

As per claim 1 and claim 7. The functionality of claim 7 of providing a Secondary Window of Text and the ability to traverse provide by the Table of Content (Office, page 479).

**Claim 9**

The method of claim 8 wherein the help facility dynamically generates a listing of available help topics based on help files identified during traversal.

**Examiner's Response**

As per claim 1. Office page 472, Table of Content graphic to display available topics. The table of contents is used to traverse the help system. This is better illustrated in ForeHelp with the Navigator (ForeHelp, page 24) and Grapher (ForeHelp, pages 33, 153-157) features.

Art Unit: 2193

**Claim 10**

The method of claim 8 wherein the help facility dynamically generates a table of contents file based on help files identified during traversal.

**Examiner's Response**

As per claims 1,8 and 9.

**Claim 11**

The method of claim 1 wherein the help facility is caused to detect the existence of one or more help files in response to a user action.

**Examiner's Response**

As per claims 1 and 8. The use of links and hot spots.

**Claim 12**

The method of claim 1 wherein the help facility is caused to detect the existence of one or more help files automatically.

**Examiner's Response**

As per claims 1 and 8. The result of user action in content sensitive help system.

**Claim 13**

The method of claim 1 wherein enabling an author to generate one or more help files comprises enabling the: author to record a sequence of one or more user activities performed in the computer software application in response to the activation of the interactive link.

**Examiner's Response**

As per claims 1 and 8. Office as per the claims listed provides the ability to create a sequence that results from hypertext links to display of files and secondary files is on such sequence. ForeHelp provides a more detail teaching in Chapters 17, 18 and 19.

**Claim 14**

The method of claim 1 wherein the interactive link comprises a hyperlink or a hotspot.

**Examiner's Response**

As per claim 1.

**Claim 15**

The method of claim 1 wherein the operation in the computer software application associated with the interactive link comprises an atomic step of a complex operation.

**Examiner's Response**

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of "an atomic step of a complex operation" is viewed to be data. What is displayed is data and is not patentable.

Art Unit: 2193

**Claim 16**

The method of claim 1 wherein the operation in the computer software application associated with the interactive link comprises a plurality of steps associated with a complex operation.

**Examiner's Response**

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of "a plurality of steps associated with a complex operation" is viewed to be data. What is displayed is data and is not patentable.

**Claim 17**

The method of claim 1 wherein the operation in the computer software application associated with the interactive link corresponds to a menu item in a graphical user interface of the computer software application.

**Examiner's Response**

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of "corresponds to a menu item in a graphical user interface of the computer software application" is viewed to be data. What is displayed is data and is not patentable.

**Claim 18**

The method of claim 1 wherein the operation in the computer software application associated with the interactive link corresponds to an operation available through an application program interface of the computer software application.

**Examiner's Response**

Claim Interpretation: the ability to display help with interactive links is taught in claim 1. The limitation of "corresponds to an operation available through an application program interface of the computer software application" is viewed to be data. What is displayed is data and is not patentable.

**Claim 19**

The method of claim 1 wherein enabling the author to generate one or more help files comprises providing a markup language extension that enables an activity in the computer software application to be performed indirectly.

**Examiner's Response**

ForeHelp's ability to indirectly call Help files in the Application Windows (ForeHelp, WinHelp, page 211 - 214). One of ordinary skill in the art should know Windows Help is hypertext based and on page 211 of ForeHelp the string passed (hypertext) to the WinHelp is defined in quotes in the three example.



Art Unit: 2193

**Claim 20**

A method of providing a help facility for a computer software application stored on a computer readable medium and executable on a computer, the method comprising: enabling a computer software application to record a sequence of one or more user activated operations performed within the computer software application in connection with a help topic ; and enabling a user to generate one or more help files that specify help content to be presented and at least one interactive link that, when activated, performs the recorded sequence of one or more operations to effect the one or more user-activated operations.

**Examiner's Response**

As per claim 1.

**Claim 21**

The method of claim 20 further comprising enabling the generated one or more help files to be displayed as a help page in the help facility.

**Examiner's Response**

As per claims 1, 2 and 5.

**Claim 22**

The method of claim 21 further comprising enabling the help facility, while executing, to access the generated one or more help files upon detecting that the one or more files exist in a predetermined location within a local file structure accessible to the help facility.

**Examiner's Response**

As per claims 1, 2,4 and 8.

**Claim 23**

The method of claim 21 further comprising, in response to user input, selectively performing the one or more operations based on a state of the computer application.

**Examiner's Response**

As per claims 1, 19 and 23, where Context Sensitive Help and the ability to call help in other Applications such as Access, Excel and Word (State – if the applications are running).

**Claim 24**

The method of claim 23 wherein selectively performing the one or more operations comprises refraining from attempting to perform an operation if the computer software application is in an improper state for performing the operation.

**Examiner's Response**

As per claims 1, 19 and 23, where Context Sensitive Help and the ability to associate other Applications such as Access, Excel and Word in help sequence. The call requires an external call where the sequence as defined by the author is associated with the application (State – if the applications are running).

Art Unit: 2193

**Claim 25**

The method of claim 24 further comprising informing the user of one or steps to undertake to place the computer software application in a proper state to perform the operation.

**Examiner's Response**

As per claim 24.

**Claim 26**

A method of controlling a help facility for a computer software application stored on a computer readable medium and executable on a computer,, the method comprising: enabling a user to generate one or more help files that specify content to be presented and at least one interactive link that, when activated, performs an operation in the computer software application associated with the content; and enabling the help facility to detect a state of the computer software application and to selectively cause the operation to be performed by the computer software application based on the detected state.

**Examiner's Response**

As per claims 1 and 24.

**Claim 27**

The method of claim 26 wherein enabling the user to generate help files comprises enabling the computer software application to record a sequence of one or more user operations performed within the computer software application.

**Examiner's Response**

As per claims 1 and 23.

**Claim 28**

The method of claim 26 wherein the help facility refrains from causing the operation to be performed if the computer software application is in improper state for performing the operation.

**Examiner's Response**

As per claims 1 and 24.

**Claim 29**

The method of claim 28 further comprising informing the user of one or steps to undertake to place the computer software application in a proper state to perform the operation..

**Examiner's Response**

As per claims 1 and 24.

**Claim 30**

Machine-readable instructions, embodied in a tangible medium or a propagated signal or both, for causing the machine to perform operations comprising: enable an author to generate one or more help files for a help facility of a computer software application, the one or more help files specifying content to be displayed and at least one interactive link the content associated with at least one user-activated step to be in connection with the help topic, wherein the interactive link, when activated, performs an operation in the computer software application to effect the at least

Art Unit: 2193

one step associated with the specified content; and enable the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

**Examiner's Response**

As per claim 1.

**Claim 31**

The instructions of claim 30 further comprising instructions to automatically place the help file in the predetermined location.

**Examiner's Response**

As per claim 2.

**Claim 32**

The instructions of claim 30 further comprising instructions to retrieve the generated one or more help files from an external source.

**Examiner's Response**

As per claim 5.

**Claim 33**

The instructions of claim 32 further comprising instructions to display the one or more help files as a help page in the help facility.

**Examiner's Response**

As per claim 7.

**Claim 34**

The instructions of claim 30 wherein the instructions to enable the help facility to access the generated one or more help files comprise instructions to cause the help facility to traverse the local file structure to identify existing help files.

**Examiner's Response**

As per claim 8.

**Claim 35**

The instructions of claim 34 further comprising instructions to dynamically generate a listing of available help topics based on help files identified during traversal.

**Examiner's Response**

As per claim 9.

**Claim 36**

The instructions of claim 34 further comprising instructions to dynamically generate a table of contents file based on help files identified during traversal.

**Examiner's Response**

As per claim 9.

Art Unit: 2193

**Claim 37**

The instructions of claim 30 further comprising instructions to cause the help facility to detect the existence of one or more help files in response to a user action.

**Examiner's Response**

As per claim 13.

**Claim 38**

The instructions of claim 30 further comprising instructions to cause the help facility to detect the existence of one or more help files automatically.

**Examiner's Response**

As per claim 13.

**Claim 39**

The instructions of claim 30 wherein the instructions to enable an author to generate one or more help files comprise instructions to enable the author to record a sequence of one or more user activities performed in the computer software application.

**Examiner's Response**

As per claims 1, 13 and 19.

**Claim 40**

An extensible help facility for a computer software application stored on a computer readable medium and executable on a computer, the help facility comprising:

- a graphical user interface for communicating with a user;
- a plurality of help files arranged in a hierarchical file structure; and
- one or more software processes configured to perform the following operations:
  - (i) enable a user to generate or modify one or more help files that specify content to be displayed and at least one: interactive link that, when activated, performs an operation in the computer software application associated with the specified content;
  - (ii) cause the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within the hierarchical file structure; and
  - (iii) cause the help facility to detect a state of the computer software application and to selectively cause an operation corresponding to an interactive link to be performed by the computer software application based on the detected state.

**Examiner's Response**

As per claims 1, 2, 5, 11 and 19.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2193

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Developing Applications with **Office**, published 1995 and **ForeHelp** version 1.0 by ForeFront , Incorporated released 1994 in view of Content and Orientation in Hypermedia Networks, Kenneth **Utting** published in 1989.

**Claim 6**

The method of claim 1 wherein the external source comprises a remote resource on a network.

**Examiner's Response**

ForeHelp teaches the use of context sensitive Windows Help Files utilizing hypertext links (ForeHelp, Grapher shows the hierarchy of hypertext links page 31 and 232) but ForeHelp does not explicitly state the hypertext link access files residing on a remote resource on a network. Utting teaches a networked environment to help users in a networked environment. Therefore, it would have been obvious to combine ForeHelp with Utting, because "The core of hypermedia's power lies in the complex networks of links that can be created within and between documents". (Utting, first sentence)

***Response to Arguments***

6. Applicant's arguments with respect to claims 1 – 40 have been considered but are moot in view of the new ground(s) of rejection.

7. In terms of formal matters, new Abstract, Title and response to drawings are acceptable.

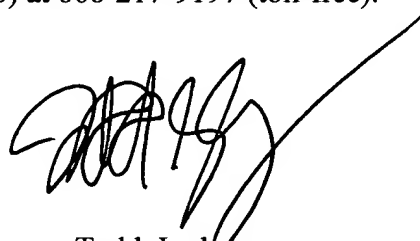
***Correspondence Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

Art Unit: 2193

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Todd Ingherg', with a long horizontal line extending from the end of the signature.

Todd Ingherg  
Primary Examiner  
Art Unit 2193

TI